

HAMILTON COUNTY BOARD OF COMMISSIONERS
SEPTEMBER 28, 2007

The Hamilton County Board of Commissioners met on Friday, September 28, 2007 at 7:30 a.m. at the Hamilton County Highway Department, 1700 South 10th Street, Noblesville, Indiana. President Dillinger called the meeting to order and declared a quorum present of Commissioner Christine Altman, Commissioner Steven C. Dillinger and Commissioner Steven A. Holt.

Lamong Road

Mr. Phil Beer, USI Consultants representing the Town of Sheridan, stated Lamong Road was originally a county project, Sheridan took over the project so the project could move ahead sooner than the county was able to. County funds of \$201,794 were transferred to Sheridan for the Lamong project. Sheridan asked USI to continue with the design of the project; the project was re-designed from a boulevard to a standard two lane road with open drainage. USI has also assisted Sheridan with the acquisition of right of way. It was the hope to get through the process so they could look at development, create a TIF District, and then bond the construction of the road. Dillinger asked Davis if the county was waiting for federal aid for this project? Mr. Brad Davis stated we had not applied for federal aid, we were going to attempt to get federal aid. Beer stated at this point all of the right of way has been signed and agreed to. Sheridan has used every dollar given to them to acquire as much right of way as possible. USI had to re-appraise every parcel due to the time lag from the initial appraisals done by the county and the land prices going up due to the development of CP Morgan. Altman asked if CP Morgan is actively acquiring? Mr. Dave Tudor stated they bought enough for their entire project of 600 homes. They built 125 homes the first year, this is the second year and the building will be slower. They have committed, annexed, and re-zoned from SR 47 to 1 mile south of 226th Street. Beer stated a significant amount of the Lamong corridor has been zoned commercial. Altman asked if the right of way was acquired in a manner that would qualify for federal aid? Beer stated yes, offers were made in the same steps as we have always gone through in the federal aid process. Altman asked Beer if it is his opinion that the project would continue to qualify for federal aid? Beer stated there are a few engineering standards they would have to verify, we did not change the right of way of the corridor, it was identically the same with the open ditch from a closed ditch. Beer stated there may have been a change at 236th Street. Beer stated outstanding costs for right of way acquisition are \$217,946, outstanding preliminary engineering costs are \$112,374 for a total outstanding to date of \$330,320. All right of way acquisitions have been signed but not paid. All of the landowners understand that the offer is based on available funding. Beer stated Lamong Road is part of the county's thoroughfare plan. Beer stated an aerial map is included in the information packet of the Wilfong development in Westfield that shows Towne Road connecting to Lamong Road, leaving two sections not completed. Engineers estimate for construction is \$2.8 million. Beer stated there is possible development along Lamong Road; one is a sports complex, another project is a new elementary school on 246th Street. With all things combined Sheridan is asking the county's help with moving the project along. They believe it will be a big economic tool for the Town of Sheridan.

Tudor stated the county thoroughfare plan calls for Lamong Road and Towne Road to join. Wilfong has indicated they will fill most of the distance between Towne Road and Lamong Road; if the county did the Sheridan part of the project and the Westfield part of the project the county would have the thoroughfare plan fulfilled with the only north-south road on the west side of US 31 that goes from Tipton County to Marion County.

Dillinger asked how did we get from Sheridan wanting the project to their asking the county to take the project back? Is it due to lack of development that did not come through? Tudor stated no, it is largely because the county could not do anything with Lamong Road because we all lost our proportionate share of the \$31 million of COIT. The county took the project out of the highway plans because we asked for it to be built immediately and the county could not build it immediately because of the loss of the \$31 million. The other issue was a lawsuit on the area between SR 38 and 136th Street, where neighboring landowners challenged the zoning of the property. Altman stated her recollection is that it was designed as a boulevard due to the possible acquisition of Biddle Airport, before we acquired Indianapolis Executive Airport. She does not recall this coming to the top as a high priority of the county. Beer stated Biddle Airport was the driving force for the project, USI did a study and then it developed into a project as an extension of the thoroughfare plan as a north-south road through Hamilton County. Tudor stated the Sheridan Town Council sent a letter to the Commissioners in 1999 stating the project has been on the county's thoroughfare plan since the inception of a thoroughfare plan; it has been on Sheridan's plan since 1978. Dillinger stated it was more relevant on our part to assist Sheridan, in the growth of Hamilton County this would not be a high priority at this given point. Our attitude was to assist Sheridan as we have with Carmel, Fishers, Noblesville and everyone else to help them do something for themselves. Dillinger stated his position has not changed; do you have a proposal? Are you asking us to put in \$2.1 million without you doing anything? Tudor stated they have done a fair amount, whatever we can agree to we will agree to. Altman asked what independent money has Sheridan put into the project? Tudor stated his time in acquiring the land, time on the lawsuit. This was the first commercial spot to be rezoned to get the TIF district started. From Sheridan's standpoint our sewage treatment plant is less than a quarter of a mile from Lamong Road. CP Morgan did not talk to anybody or do anything, they just bought land. Sheridan is finishing a \$3 million sewer and water additions. It was our hope to spur development closer to the sewage treatment plant rather than the far side of town. Dillinger stated Sheridan, monetarily, does not have a lot of skin in the game? Tudor stated no. Dillinger stated the county is not going to build that road 100% for you, what he would consider is a proposal of the county helping Sheridan get a bond issue, co-oping with Sheridan, using a TIF district, or some alternative. This is how we work with every municipality. Holt asked if the ground has been annexed? Tudor stated yes, to 246th Street. Altman asked on both sides? Tudor stated yes. Mr. John Snethen stated it is also an established TIF district. Tudor stated there is one parcel on the west side that is not annexed. Holt asked how much is the TIF? Tudor stated it is intended to be a TIF district, there is no bond issue because there is no commercial development. Holt asked what do you estimate the TIF district to make? Tudor stated it depends on what goes in; at this point it is a bean field. Holt stated he does not recall building a county road in a city jurisdiction. Dillinger stated we have co-oped, such as Hazel Dell Road. Holt stated we only paid for the portion that had not been annexed. On 146th Street we only paid for the portion that had not been annexed. Holt stated if you had not annexed it; Tudor stated they annexed it so it could be part of the TIF district. Holt stated wouldn't you do the annexation when anybody wants to be annexed. Even if it is a bean field they pay town taxes and we need as much money coming into the town coffers as we can get. Altman stated but you have to extend infrastructure within a certain amount of time. Tudor stated only if it houses, we don't have to extend infrastructure to bean fields, it is to our advantage to annex it when it is a bean field because we are not committed to extend anything. Holt asked why don't you build it with the TIF when the development comes? Tudor stated they would like to build it sooner; it is a chicken and egg issue, we don't get the development because we don't have the road, we don't get the road because we don't have the development. Altman stated you have plans ready to shoot out the door, if a developer comes in you offer him

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the property, it has already been zoned properly, and you have a sewage treatment plant within a quarter of a mile. Altman stated she does not understand the impediment from the normal development in Hamilton County on this particular segment. You are well beyond what most communities are to draw in if it is coming. You have everything ready to roll. That is what is bothering her, if a TIF is feasible if you are not able to attract under this scenario. Tudor stated we think it is, the landowners have spent an incredible amount of money to prepare their land for development. Dillinger asked if they have looked at the idea of bonding the \$2.8 million and pledging COIT against it until the TIF kicks in? Tudor stated we don't have as much COIT as the county. Our COIT money goes to pay for policeman and fireman. Tudor stated property tax has never covered their expenses and with the loss of the \$31 million is how we managed from not laying off police and fireman. Next year we will have some money coming in. We don't have a General Obligation Bond because the size of the town would only get us about \$800,000. Davis stated he believes there is supposed to be an INDOT Call for Projects and that would be an opportunity to apply again for rural federal aid. Holt asked Beer if this would be a reasonable project for federal aid? Beer stated yes. Altman stated this is how the county was staging the project before Sheridan took it over. Beer stated the right of way needs to be 100% secure, which is \$217,000 and then pay USI \$112,000. Once that is done constructing the road, whether it is waiting for development and TIF it, or go after federal funds as a shared project with the county is something Sheridan should look at. The number one issue is making sure right of way is secure. Altman stated she does not think an offer could be issued for right of way without an appropriation. Beer stated when the offers were signed they were made pending funding. Dillinger asked if the council-elect members had comments? Mr. Kyle Moffett stated he is hearing there are two options, federal funding or TIF, based on development when it arrives or a bond issue? Dillinger stated our inclination has always been to try and help in situations like this the best we can. We have to be careful to not set precedent or we would have every city or town in this county asking us to fund their projects and the county has their own projects we are trying to fund. If we can be of assistance and help, he would be happy to entertain a proposal. Holt asked why do you not do a GO (General Obligation) Bond to pay for the land and USI? Holt stated you said you could go up to \$800,000; you owe \$300,000; get the land acquired and sit on it. Tudor stated that is a possibility but we still have the \$2 million to build the road. Altman stated we do this a lot, where we have a plan and right of way and we have to look for construction money. Holt stated we have a shelf full of projects we are working on and when the money appears we will do it. Holt stated why not pay for the land and tell INDOT you have a plan ready to go and all we need is money. Dillinger stated that is always an enticement for the State. Beer stated contacts have been made with Representative Burton for demonstration funds. Holt asked why would this not be a good rural project? Beer stated it would be. Altman stated you need to get it in the shoot. Beer stated as soon as there is a call from INDOT they will do that. Holt stated we have never built city streets for anybody. Dillinger stated we have designed the project and then turned the design over to the entity and let them go from there. Tudor asked the county to deed Sheridan the lot that the county bought many years ago? Holt stated that would not be a problem. Mallott stated it sounds like we need to do some more research on development for the TIF district? Dillinger stated yes. Snethen stated he has estimated we need \$30 million in development to TIF to generate \$3 million. Dillinger stated the county's philosophy on bonding issues is that it is a good thing for the county. When you try to pay for things like this now it is paid with dollars from existing taxpayers; when you bond it then the new people have to pay their fair share also. We try to do as much bonding as we can; it makes sense in growing communities. Ms. Connie Pearson stated we have annexed one side but not the other side. Dillinger stated under State law when you annex one side it goes to the other side. Holt stated he would think that Sheridan would be looked upon favorably in the federal aid scenario verses the county applying for it? Beer stated that pool of funds is typically not huge at the INDOT level. If we could show the right of way is completely done and the project is ready to be built, and it is in the county thoroughfare plan, that would be something INDOT would look favorably on.

Official Action

146th Street Extension Speed Limit

Davis requested approval of an official action to install regulatory signs on 146th Street and Campus Way in Noblesville, Wayne and Fall Creek Townships. Holt motioned to approve. Altman seconded. Motion carried unanimously.

November Additional Appropriations

Davis stated he met with Mike Reuter and there are funds available in the Motor Vehicle Highway Fund for appropriation. Davis requested permission to request additional appropriations in the amount of \$2,444,425 (operations - \$96,000 and Projects - \$2,348,425). Holt motioned to approve. Altman seconded. Motion carried unanimously.

Dillinger stated he believes the Council is in the mood and willing to bond up to \$16 million. Meredith Carter suggested bonding and Schwartz (Steve) and Belden (Jim) agreed with Carter. Dillinger stated if we revisited our priorities in a very concrete way, went to the Council and listed our priorities and why we believe they should bond for all of it. The Council is telling us we have \$4 million and they are not going to budget anything. Dillinger argued that they did not have \$4 million but he found out we did. No one intended to do anything wrong, it was a lack of communication. Davis stated the \$4 million was unappropriated, end of year balance in MVH. Of that \$1 million of it we know it is Major Moves for 146th Street West Extension. That was in Reuter's plan but it was not appropriated. The \$4 million came off as discretionary, but the \$1 million is not, we know what we plan on using it for. Holt stated what is in our mind that is irrelevant, it is what is in their mind that counts. Davis stated the other part of the operating balance of the \$4 million; Reuter's conservative recommendation was 50% of the budget which is \$2.25 million. If you take that approach \$3.25 million of the \$4 million has a purpose. Altman stated the lesson learned is that we need to make sure we reconcile to Mike's (Reuter) numbers, the Auditor's numbers and when we present to Council we go through each fund at least with a spreadsheet stating the operating balance, what is not appropriated but spoken for and this is what is available and goes into our work program. Dillinger stated he has advised Davis that he needs to meet with Dawn or someone in the Auditor's office once a month to make sure everyone is on the same page. This confusion is what has caused this. Holt stated it makes us look like idiots, it kills credibility. Holt stated he understands an operating budget for county but he is not sure about an operating balance for a department. Altman stated we have to. Holt asked if we can appropriate for projects we know are coming down the pike? Holt stated we can surely appropriate the \$1 million? Altman stated right, if we know it is earmarked appropriate it even if it is not going to be spent. We can always re-appropriate it. Altman stated Reuter is always conservative on an operating balance and we could easily carry a \$1 million operating budget in MVH. Davis stated when he prepared the budget he looked at Reuter's October report. When he did the numbers nothing looked excessive. We got lucky with weather, we did not use over \$300,000 of salt, we did not have as much overtime expense, and we are using the four-day work week. The other thing is that we had an

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increase in funds from the State so all of that added together ended up in a balance of cash. Holt stated we have discussed a joint retreat in October and encouraged scheduling the retreat to discuss a bond issue. Dillinger stated it is a good idea but only if we have our act together. Dillinger will discuss a retreat date with the Council at the joint Executive Session on October 8. Holt asked to schedule a work session with the highway department. Dillinger asked Davis to let him know when he has the list complete.

Holt motioned to adjourn. Altman seconded. Motion carried unanimously.

Present

Christine Altman, Commissioner
Steven C. Dillinger, Commissioner
Steven A. Holt, Commissioner
Fred Swift, Administrative Assistant to Commissioners
Bradley Davis, Highway Director
Joel Thurman, Highway Project Engineer
Kim Rauch, Administrative Assistant to Auditor
Phil Beer, USI
John Snethen, Sheridan Town Council
Connie Pearson, Sheridan Clerk-Treasurer
Kyle Mallott, Sheridan Town Council-Elect
Benny Biddle, Sheridan Town Council-Elect
Dave Tudor, Sheridan Town Attorney

APPROVED
HAMILTON COUNTY BOARD OF COMMISSIONERS

ATTEST

Robin M. Mills, Auditor